

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	<u>UNDER SEAL</u>
)	
v.)	Case No. 1:20-mj-242
)	
BILAL MUHAMMAD ABDUS-SALAAM,)	
)	
Defendant.)	

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Bernard Mensah, being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") and have been so employed since May of 2017. I am currently assigned to the ATF Washington Field Division's Group II. My assignments include investigating individuals who are involved in the illegal possession and transfer of firearms, violent crimes involving firearms, and narcotics and firearms trafficking. I have conducted and participated in electronic surveillance operations, executed search warrants and arrest warrants, developed sources of information, and conducted international operations that collaborated with foreign law enforcement entities.

2. The facts in this affidavit come from personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. All observations not personally made by me were relayed to me by individuals who made them or are based on my review of reports, documents, and other evidence obtained during the course of the investigation. This affidavit is intended to show only that there is probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. I submit this affidavit in support of a criminal complaint and arrest warrant charging BILAL MUHAMMAD ABDUS-SALAAM ("ABDUS-SALAAM") with possession of a firearm by a prohibited person, in violation of Title 18, United States Code, Section 922(g)(1).

PROBABLE CAUSE

ABDUS-SALAAM'S PRIOR FELONY CONVICTIONS

4. From examining certified court records, I am aware that in 2018, ABDUS-SALAAM was convicted in the Circuit Court of Anne Arundel, Maryland, of two firearms offenses carrying penalties exceeding one year. On August 30, 2018, ABDUS-SALAAM was sentenced to 36 months' incarceration for Count I, Possession of Firearm with Felony Conviction, and 36 months' incarceration on Count III, Transport Firearm in Vehicle. The sentences were ordered to run concurrently. After serving his sentence, ABDUS-SALAAM served approximately five months in federal custody for violating the terms of his supervised release for prior convictions in the District of Columbia.

5. ABDUS-SALAAM was released from federal custody on June 22, 2020. He is subject to 24 months' supervised release from the District of Columbia, and is also supposed to be under active supervision by the Maryland Department of Public Safety and Correctional Services.

6. ABDUS-SALAAM's Certificate of Supervised Release from the U.S. Department of Justice Parole Commission orders him to comply with the conditions listed in the agreement. Among other conditions, his supervision obligations prohibit ABDUS-SALAAM from possessing a dangerous weapon or ammunition, and from traveling outside the Washington, D.C. metropolitan area without permission.

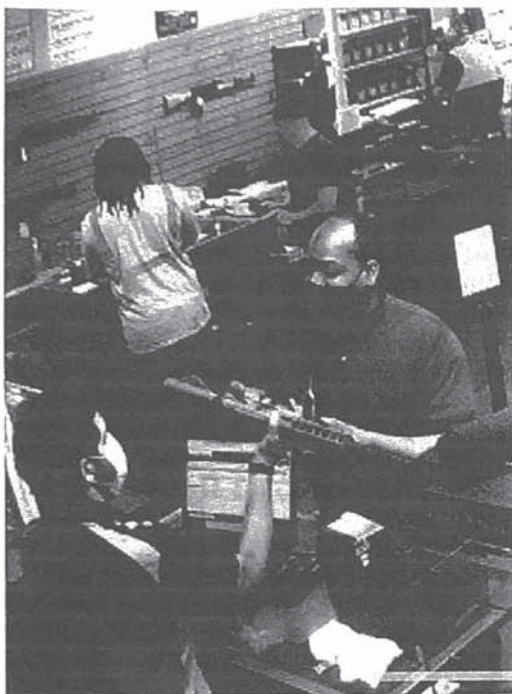
FIREARM PURCHASE – SHARPSHOOTERS FEDERAL FIREARM LICENSEE

7. On July 17, 2020, E.B., the manager at Sharpshooters, a Federal Firearms Licensee (FFL), located in Lorton, Virginia, within the Eastern District of Virginia, called ATF's Washington Field Division regarding a possible straw purchase that occurred on July 16, 2020. That firearm was transferred on July 17, 2020.

8. E.B. stated that after reviewing video footage of the transaction, she felt uneasy about the sale and suspected that the female transferee straw purchased the firearm for the male that accompanied her into the store. The behavior of the subjects, along with their vehicle's Maryland license plates, prompted her to contact the ATF. E.B. presented agents with the ATF Form 4473 and Virginia Firearms Transaction form completed by the transferee, KENA DENISE ABDUS-SALAAM, formerly KENA DENISE SCOTT (hereinafter "KENA").

9. Video footage showed that a black, Chrysler minivan with Maryland tags arrived at Sharpshooters on July 16, 2020, at approximately 3:00 p.m. After the minivan parked, a male, later identified as ABDUS-SALAAM, exited the front passenger side of the vehicle and proceeded into Sharpshooters alone. ABDUS-SALAAM was wearing a bright purple collared shirt.

10. ABDUS-SALAAM interacted with store employees and purchased a Sig Sauer-Romeo Red Dot Optic, which is a sight designed for AR-15 style rifles. ABDUS-SALAAM then took possession of an AR-15 style rifle from store employee M.M., who relayed to investigators that ABDUS-SALAAM had inquired about rifles and asked to see a Sig Sauer rifle. Still frames of the video are provided below.



11. After inquiring about and manipulating the rifle, ABDUS-SALAAM told M.M. that his wife had to see the rifle. At that point, ABDUS-SALAAM returned to the parking lot and summoned KENA to enter the store.

12. Video shows that ABDUS-SALAAM re-entered the store with KENA, who was wearing a long black dress and a burgundy head cover, and they proceeded directly to M.M.

ABDUS-SALAAM took possession of an AR-15 style rifle from the display wall and then handed it to KENA. They then proceeded to the firearm counter where KENA began filling out the paperwork to purchase the Sig Sauer, 556XI, 5.56 MM caliber rifle bearing serial number 34C000312.

13. Based on my training and experience, I know that the firearm possessed by ABDUS-SALAAM at Sharpshooters constitutes a firearm pursuant to Title 18, United States Code, Section 921(a)(3), and was not manufactured in the Commonwealth of Virginia; therefore, this firearm traveled in and/or affected interstate commerce.

14. M.M. stated that it was apparent that KENA was not familiar with rifles. He further stated that KENA was pleasant and told him that her family was not fond of firearms but that her husband's side was fond of firearms because of their military background.

15. While completing her documents, M.M. asked KENA if she lived at the address listed on her Virginia Identification Card. KENA responded, "No," and proceeded to provide a change of address to M.M. from her cellphone, which she was observed manipulating on the video. KENA's Virginia Identification Card had an address of 285 Merrimac Trail, Unit 1, Williamsburg, Virginia, 23185, but the address used to complete her ATF Form 4473 was 115 Erin Drive, Stafford, Virginia, 22556.

16. On her ATF Form 4473, KENA initially checked "No," then altered it and checked "Yes" in Block 11a, which states "Are you the actual transferee/buyer of the firearm(s) listed on this form?" affirming that she was the actual transferee/buyer of the firearm listed on line 1 of

blocks 24 through 28 on the forms. KENA signed Block 14 of each ATF Form 4473, certifying that her answers in Section A were true, correct, and complete.

17. KENA's purchase was initially "delayed" by Virginia State Police (VSP). VSP indicated that KENA ABDUS-SALAAM had already purchased another firearm on July 16, 2020, from SSG Tactical FFL in Stafford, Virginia.

18. KENA returned to Sharpshooters alone the following day, July 17, 2020, and took possession of the rifle.

FIREARM PURCHASE - SSG TACTICAL FEDERAL FIREARM LICENSEE

19. Earlier on July 16, 2020, ABDUS-SALAAM and KENA went to SSG Tactical FFL in Stafford, Virginia, which is within the Eastern District of Virginia. The store manager, E.K., recalled the sale to KENA, and it was also captured on video.

20. The video showed that at approximately 11:00 a.m., ABDUS-SALAAM, wearing a bright purple collared shirt, approached the door to the store with KENA, who was wearing a long black dress and a burgundy head cover. They were admitted by an employee, and the couple walked to the handgun counter and started browsing for handguns.

21. ABDUS-SALAAM walked around the store while KENA interacted with a store employee. At approximately 11:09 a.m., ABDUS-SALAAM took possession of a handgun from the store employee. Still frames of the video are provided below. At approximately 11:14 a.m., ABDUS-SALAAM walked back to the counter where KENA was interacting with the clerk and picked up another pistol. When characterizing their behavior, E.K. stated that "It looked like she was buying and he was directing."



22. At approximately 11:20 a.m., ABDUS-SALAAM purchased an item from the register while KENA continued with her purchase of a Heckler and Koch, Vp9, 9mm pistol bearing serial number 224-278848. The couple left the store with the item purchased by ABDUS-SALAAM.

23. At approximately 6:05 p.m., KENA and ABDUS-SALAAM returned to SSG Tactical. KENA took possession of the Heckler and Koch, Vp9, 9mm pistol and purchased two boxes of ammunition. The sales receipt of the transaction showed that KENA purchased the pistol for \$888.59 at approximately 6:08 p.m.

24. At that time, ABDUS-SALAAM purchased a tactical book bag and another item. After ABDUS-SALAAM purchased the book bag, KENA placed the firearm inside and handed the bag to ABDUS-SALAAM. The couple then exited the store.

25. Based on my training and experience, I know that the firearm possessed by ABDUS-SALAAM at SSG Tactical constitutes a firearm pursuant to Title 18, United States Code, Section 921(a)(3), and was not manufactured in the Commonwealth of Virginia; therefore, this firearm traveled in and/or affected interstate commerce.

CONCLUSION

26. Based upon the foregoing, I submit there is probable cause to believe that on or about July 16, 2020, within the Eastern District of Virginia, BILAL ABDUS-SALAAM did knowingly possess a firearm in and affecting commerce knowing that he was previously convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of 18 U.S.C. § 922(g)(1).

Respectfully submitted,



Bernard Mensah
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Subscribed and sworn to in accordance with
Fed. R. Crim. P. 4.1 by telephone on August 18, 2020.

John F. Anderson

Digitally signed by John F.
Anderson
Date: 2020.08.18 11:03:24 -04'00'

The Honorable John F. Anderson
United States Magistrate Judge